

Brownley	Garcia (TX)	Lowenthal	Barbanes	Stauber	Van Drew
Buchanan	Gibbs	Lucas	Scalise	Steel	Van Duyne
Buck	Gimenez	Luetkemeyer	Scanlon	Stefanik	Vargas
Bucshon	Gohmert	Luria	Schakowsky	Steil	Veasey
Burchett	Golden	Lynch	Schiff	Steube	Velázquez
Burgess	Gomez	Mace	Schneider	Stevens	Wagner
Bush	Gonzales, Tony	Malinowski	Schrader	Stewart	Walberg
Bustos	Gonzalez (OH)	Malliotakis	Schrier	Strickland	Walorski
Butterfield	Gonzalez,	Maloney,	Schweikert	Suozzi	Waltz
Calvert	Vicente	Carolyn B.	Scott (VA)	Swalwell	Wasserman
Cammack	Good (VA)	Maloney, Sean	Scott, Austin	Takano	Schultz
Carbajal	Gooden (TX)	Mann	Scott, David	Taylor	Waters
Cárdenas	Gosar	Manning	Sessions	Tenney	Watson Coleman
Carey	Gottheimer	Massie	Sewell	Thompson (CA)	Weber (TX)
Carl	Granger	Mast	Sherman	Thompson (MS)	Webster (FL)
Carson	Graves (LA)	Matsui	Sherrill	Thompson (PA)	Welch
Carter (GA)	Graves (MO)	McBath	Sires	Tiffany	Wenstrup
Carter (LA)	Green (TN)	McCarthy	Slotkin	Timmons	Westerman
Carter (TX)	Green, Al (TX)	McCaul	Smith (MO)	Titus	Wexton
Cartwright	Greene (GA)	McClain	Smith (NE)	Tlaib	Wild
Case	Griffith	McClintock	Smith (NJ)	Tonko	Williams (GA)
Castor (FL)	Grijalva	McCollum	Smith (WA)	Torres (CA)	Williams (TX)
Castro (TX)	Grothman	McEachin	Smucker	Torres (NY)	Wilson (FL)
Chabot	Guest	McGovern	Soto	Trahan	Wilson (SC)
Cheney	Guthrie	McHenry	Spanberger	Trone	Wittman
Cherfilus-	Harder (CA)	McKinley	Spartz	Turner	Womack
McCormick	Harris	McNerney	Speler	Underwood	Zeldin
Chu	Hartzler	Meeks	Stansbury	Upton	
Cicilline	Hern	Meijer	Stanton	Valadao	
Clark (MA)	Herrell	Meng			
Clarke (NY)	Herrera Beutler	Meuser			
Cleaver	Hice (GA)	Mfume	Casten	Harshbarger	
Cline	Higgins (LA)	Miller (IL)			
Cloud	Higgins (NY)	Miller (WV)			
Clyburn	Hill	Miller-Meeks			
Clyde	Himes	Moolenaar	Arrington	Estes	Kinzinger
Cohen	Hinson	Mooney	Blumenauer	Foxx	Palazzo
Cole	Hollingsworth	Moore (AL)	Budd	Hayes	Simpson
Comer	Horsford	Moore (UT)	Cawthorn	Kahele	Yarmuth
Connolly	Houlahan	Moore (WI)			
Cooper	Hoyer	Morelle			
Correa	Hudson	Moulton			
Costa	Huffman	Mrvan			
Courtney	Huizenga	Mullin			
Craig	Issa	Murphy (FL)			
Crawford	Jackson	Murphy (NC)			
Crenshaw	Jackson Lee	Nadler			
Crist	Jacobs (CA)	Napolitano			
Crow	Jacobs (NY)	Neal			
Cuellar	Jayapal	Neguse			
Curtis	Jeffries	Nehls			
David (KS)	Johnson (GA)	Newhouse			
Davidson	Johnson (LA)	Newman			
Davis, Danny K.	Johnson (OH)	Norcross			
Davis, Rodney	Johnson (SD)	Norman			
Dean	Johnson (TX)	O'Halleran			
DeFazio	Jones	Oberholte			
DeGette	Jordan	Ocasio-Cortez			
DeLauro	Joyce (OH)	Omar			
DelBene	Joyce (PA)	Owens			
Delgado	Kaptur	Pallone			
Demings	Katko	Palmer			
DeSaulnier	Keating	Panetta			
DesJarlais	Keller	Pappas			
Deutch	Kelly (IL)	Pascrell			
Diaz-Balart	Kelly (MS)	Payne			
Dingell	Kelly (PA)	Pence			
Doggett	Khanna	Perlmutter			
Donalds	Kildee	Perry			
Doyle, Michael	Kilmer	Peters			
F.	Kim (CA)	Pfuger			
Duncan	Kim (NJ)	Phillips			
Dunn	Kind	Pingree			
Ellzey	Kirkpatrick	Pocan			
Emmer	Krishnamoorthi	Porter			
Escobar	Kuster	Posey			
Eshoo	Kustoff	Pressley			
Espallat	LaHood	Price (NC)			
Evans	LaMalfa	Quigley			
Fallon	Lamb	Raskin			
Feenstra	Lamborn	Reschenthaler			
Ferguson	Langevin	Rice (NY)			
Fischbach	Larsen (WA)	Rice (SC)			
Fitzgerald	Larson (CT)	Rodgers (WA)			
Fitzpatrick	Latta	Rogers (AL)			
Fleischmann	LaTurner	Rogers (KY)			
Fletcher	Lawrence	Rose			
Foster	Lawson (FL)	Rosendale			
Frankel, Lois	Lee (CA)	Ross			
Franklin, C.	Lee (NV)	Rouzer			
Scott	Leger Fernandez	Roy			
Fulcher	Lesko	Roybal-Allard			
Gaetz	Letlow	Ruiz			
Gallagher	Levin (CA)	Ruppersberger			
Galleo	Levin (MI)	Rush			
Garamendi	Lieu	Rutherford			
Garbarino	Lofgren	Ryan			
Garcia (CA)	Long	Salazar			
Garcia (IL)	Loudermilk	Sánchez			

NAYS—2

NOT VOTING—12

□ 1802

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Allred (Escobar)	DeFazio	Meijer (Moore
Bass (Takano)	(Bonamici)	(UT))
Bilirakis	Delgado (Neguse)	Meng (Escobar)
(Fleischmann)	DeSaulnier	Nehls
Bourdeaux	(Beyer)	(Fitzgerald)
(Blunt)	Dunn (Salazar)	Ocasio-Cortez
Rochester)	Fallon (Jackson)	(Takano)
Bowman (Garcia	Gosar (Gohmert)	Payne (Pallone)
(TX))	Higgins (NY)	Price (NC)
Boyle, Brendan	(Pallone)	(Manning)
F. (Neguse)	Jackson Lee	Ruiz (Takano)
Brooks (Moore	(Cicilline)	Schrader (Blunt)
(AL))	Jayapal	Rochester)
Brownley	(Takano)	Scott, David
(Kuster)	Johnson (TX)	(Jeffries)
Butterfield	(Jeffries)	Sewell (Cicilline)
(Ross)	Katko (Moore	Sires (Pallone)
Cárdenas (Soto)	(UT))	Stauber
Castro (TX)	Keating	(Bergman)
(Garcia (TX))	(Cicilline)	Stewart (Curtis)
Cherfilus-	Kirkpatrick	Suozzi (Beyer)
McCormick	(Pallone)	Swalwell (Soto)
(Soto)	Lamb (Pallone)	Taylor (Jackson)
Chu (Takano)	Langevin	Trone (Beyer)
Cleaver (Blunt	(Lynch)	Vargas (Takano)
Rochester)	Lee (NV)	Walorski (Banks)
Correa (Takano)	(Neguse)	Wilson (FL)
Cuellar (Garcia	McEachin	(Neguse)
(TX))	(Beyer)	Wilson (SC)
	McHenry (Banks)	(Timmons)

#### DOMESTIC TERRORISM PREVENTION ACT OF 2022

Mr. NADLER. Mr. Speaker, pursuant to House Resolution 1124, I call up the bill (H.R. 350) to authorize dedicated domestic terrorism offices within the Department of Homeland Security, the Department of Justice, and the Federal Bureau of Investigation to analyze and monitor domestic terrorist activity and require the Federal Government to

take steps to prevent domestic terrorism and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. ESPAILLAT). Pursuant to House Resolution 1124, the amendment in the nature of a substitute recommended by the Committee on the Judiciary, printed in the bill, modified by the amendment printed in part A of House Report 117-333, is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 350

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the “Domestic Terrorism Prevention Act of 2022”.*

#### SEC. 2. DEFINITIONS.

*In this Act—*

(1) the term “Director” means the Director of the Federal Bureau of Investigation;

(2) the term “domestic terrorism” has the meaning given the term in section 2331 of title 18, United States Code.

(3) the term “Domestic Terrorism Executive Committee” means the committee within the Department of Justice tasked with assessing and sharing information about ongoing domestic terrorism threats;

(4) the term “hate crime incident” means an act described in section 241, 245, 247, or 249 of title 18, United States Code, or in section 901 of the Civil Rights Act of 1968 (42 U.S.C. 3631);

(5) the term “Secretary” means the Secretary of Homeland Security; and

(6) the term “uniformed services” has the meaning given the term in section 101(a) of title 10, United States Code.

#### SEC. 3. OFFICES TO COMBAT DOMESTIC TERRORISM.

(a) AUTHORIZATION OF OFFICES TO MONITOR, ANALYZE, INVESTIGATE, AND PROSECUTE DOMESTIC TERRORISM.—

(1) DOMESTIC TERRORISM UNIT.—There is authorized a Domestic Terrorism Unit in the Office of Intelligence and Analysis of the Department of Homeland Security, which shall be responsible for monitoring and analyzing domestic terrorism activity.

(2) DOMESTIC TERRORISM OFFICE.—There is authorized a Domestic Terrorism Office in the Counterterrorism Section of the National Security Division of the Department of Justice—

(A) which shall be responsible for investigating and prosecuting incidents of domestic terrorism;

(B) which shall be headed by the Domestic Terrorism Counsel; and

(C) which shall coordinate with the Civil Rights Division on domestic terrorism matters that may also be hate crime incidents.

(3) DOMESTIC TERRORISM SECTION OF THE FBI.—There is authorized a Domestic Terrorism Section within the Counterterrorism Division of the Federal Bureau of Investigation, which shall be responsible for investigating domestic terrorism activity.

(4) STAFFING.—The Secretary, the Attorney General, and the Director shall each ensure that each office authorized under this section in their respective agencies shall—

(A) have an adequate number of employees to perform the required duties;

(B) have not less than one employee dedicated to ensuring compliance with civil rights and civil liberties laws and regulations; and

(C) require that all employees undergo annual anti-bias training.

(5) SUNSET.—The offices authorized under this subsection shall terminate on the date that is 10 years after the date of enactment of this Act.

(b) **JOINT REPORT ON DOMESTIC TERRORISM.**—  
(1) **BIANNUAL REPORT REQUIRED.**—Not later than 180 days after the date of enactment of this Act, and each 6 months thereafter for the 10-year period beginning on the date of enactment of this Act, the Secretary of Homeland Security, the Attorney General, and the Director of the Federal Bureau of Investigation shall submit a joint report authored by the domestic terrorism offices authorized under paragraphs (1), (2), and (3) of subsection (a) to—

(A) the Committee on the Judiciary, the Committee on Homeland Security and Governmental Affairs, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on the Judiciary, the Committee on Homeland Security, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) **CONTENTS.**—Each report submitted under paragraph (1) shall include—

(A) an assessment of the domestic terrorism threat posed by White supremacists and neo-Nazis, including White supremacist and neo-Nazi infiltration of Federal, State, and local law enforcement agencies and the uniformed services; and

(B)(i) in the first report, an analysis of incidents or attempted incidents of domestic terrorism that have occurred in the United States since April 19, 1995, including any White-supremacist-related incidents or attempted incidents; and

(ii) in each subsequent report, an analysis of incidents or attempted incidents of domestic terrorism that occurred in the United States during the preceding 6 months, including any White-supremacist-related incidents or attempted incidents;

(C) a quantitative analysis of domestic terrorism for the preceding 6 months, including—

(i) the number of—

(I) domestic terrorism related assessments initiated by the Federal Bureau of Investigation, including the number of assessments from each classification and subcategory, with a specific classification or subcategory for those related to White supremacism;

(II) domestic terrorism-related preliminary investigations initiated by the Federal Bureau of Investigation, including the number of preliminary investigations from each classification and subcategory, with a specific classification or subcategory for those related to White supremacism, and how many preliminary investigations resulted from assessments;

(III) domestic terrorism-related full investigations initiated by the Federal Bureau of Investigation, including the number of full investigations from each classification and subcategory, with a specific classification or subcategory for those related to White supremacism, and how many full investigations resulted from preliminary investigations and assessments;

(IV) domestic terrorism-related incidents, including the number of incidents from each classification and subcategory, with a specific classification or subcategory for those related to White supremacism, the number of deaths and injuries resulting from each incident, and a detailed explanation of each incident;

(V) Federal domestic terrorism-related arrests, including the number of arrests from each classification and subcategory, with a specific classification or subcategory for those related to White supremacism, and a detailed explanation of each arrest;

(VI) Federal domestic terrorism-related indictments, including the number of indictments from each classification and subcategory, with a specific classification or subcategory for those related to White supremacism, and a detailed explanation of each indictment;

(VII) Federal domestic terrorism-related prosecutions, including the number of incidents from each classification and subcategory, with a specific classification or subcategory for those related to White supremacism, and a detailed explanation of each prosecution;

(VIII) Federal domestic terrorism-related convictions, including the number of convictions from each classification and subcategory, with a specific classification or subcategory for those related to White supremacism, and a detailed explanation of each conviction; and

(IX) Federal domestic terrorism-related weapons recoveries, including the number of each type of weapon and the number of weapons from each classification and subcategory, with a specific classification or subcategory for those related to White supremacism; and

(ii) an explanation of each individual case that progressed through more than 1 of the stages described under clause (i)—

(I) including the specific classification or subcategory for each case; and

(II) not including personally identifiable information not otherwise releasable to the public; and

(D) certification that each of the assessments and investigations described under subparagraph (C) are in compliance with all applicable civil rights and civil liberties laws and regulations.

(3) **HATE CRIMES.**—In compiling a joint report under this subsection, the domestic terrorism offices authorized under paragraphs (1), (2), and (3) of subsection (a) shall, in consultation with the Civil Rights Division of the Department of Justice and the Civil Rights Unit of the Federal Bureau of Investigation, review each Federal hate crime charge and conviction during the preceding 6 months to determine whether the incident also constitutes a domestic terrorism-related incident.

(4) **CLASSIFICATION AND PUBLIC RELEASE.**—Each report submitted under paragraph (1) shall be—

(A) unclassified, to the greatest extent possible, with a classified annex only if necessary; and

(B) in the case of the unclassified portion of the report, posted on the public websites of the Department of Homeland Security, the Department of Justice, and the Federal Bureau of Investigation.

(5) **NONDUPLICATION.**—If two or more provisions of this subsection or any other law impose requirements on an agency to report or analyze information on domestic terrorism that are substantially similar, the agency may produce one report that complies with each such requirement as fully as possible.

(c) **DOMESTIC TERRORISM EXECUTIVE COMMITTEE.**—There is authorized a Domestic Terrorism Executive Committee, which shall meet on a regular basis, and not less regularly than 4 times each year, to coordinate with United States Attorneys and other key public safety officials across the country to promote information sharing and ensure an effective, responsive, and organized joint effort to combat domestic terrorism.

(d) **FOCUS ON GREATEST THREATS.**—The domestic terrorism offices authorized under paragraphs (1), (2), and (3) of subsection (a) shall focus their limited resources on the most significant domestic terrorism threats, as determined by the number of domestic terrorism-related incidents from each category and subclassification in the joint report for the preceding 6 months required under subsection (b).

#### **SEC. 4. TRAINING TO COMBAT DOMESTIC TERRORISM.**

(a) **REQUIRED TRAINING AND RESOURCES.**—The Secretary, the Attorney General, and the Director shall review the anti-terrorism training and resource programs of their respective agencies that are provided to Federal, State, local, and Tribal law enforcement agencies, including the State and Local Anti-Terrorism Program that is funded by the Bureau of Justice Assistance of the Department of Justice, and ensure that such programs include training and resources to assist State, local, and Tribal law enforcement agencies in understanding, detecting, deterring, and investigating acts of domestic terrorism and

White supremacist and neo-Nazi infiltration of law enforcement and corrections agencies. The Attorney General shall make training available to Department prosecutors and to Assistant United States Attorneys on countering and prosecuting domestic terrorism. The domestic-terrorism training shall focus on the most significant domestic terrorism threats, as determined by the quantitative analysis in the joint report required under section 3(b).

(b) **REQUIREMENT.**—Any individual who provides domestic terrorism training required under this section shall have—

(1) expertise in domestic terrorism; and

(2) relevant academic, law enforcement, or other community-based experience in matters related to domestic terrorism.

(c) **REPORT.**—

(1) **IN GENERAL.**—Not later than 6 months after the date of enactment of this Act and twice each year thereafter, the Secretary, the Attorney General, and the Director shall each submit a biannual report to the committees of Congress described in section 3(b)(1) on the domestic terrorism training implemented by their respective agencies under this section, which shall include copies of all training materials used and the names and qualifications of the individuals who provide the training.

(2) **CLASSIFICATION AND PUBLIC RELEASE.**—Each report submitted under paragraph (1) shall—

(A) be unclassified, to the greatest extent possible, with a classified annex only if necessary;

(B) in the case of the unclassified portion of each report, be posted on the public website of the Department of Homeland Security, the Department of Justice, and the Federal Bureau of Investigation; and

(C) include the number of Federal incidents, investigations, arrests, indictments, prosecutions, and convictions with respect to a false report of domestic terrorism or hate crime incident.

#### **SEC. 5. INTERAGENCY TASK FORCE.**

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Attorney General, the Director, the Secretary, and the Secretary of Defense shall establish an interagency task force to analyze and combat White supremacist and neo-Nazi infiltration of the uniformed services and Federal law enforcement agencies.

(b) **REPORT.**—

(1) **IN GENERAL.**—Not later than 1 year after the interagency task force is established under subsection (a), the Attorney General, the Secretary, and the Secretary of Defense shall submit a joint report on the findings of the task force and the response of the Attorney General, the Secretary, and the Secretary of Defense to such findings, to—

(A) the Committee on the Judiciary of the Senate;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate;

(C) the Select Committee on Intelligence of the Senate;

(D) the Committee on Armed Services of the Senate;

(E) the Committee on the Judiciary of the House of Representatives;

(F) the Committee on Homeland Security of the House of Representatives;

(G) the Permanent Select Committee on Intelligence of the House of Representatives; and

(H) the Committee on Armed Services of the House of Representatives.

(2) **CLASSIFICATION AND PUBLIC RELEASE.**—The report submitted under paragraph (1) shall be—

(A) submitted in unclassified form, to the greatest extent possible, with a classified annex only if necessary; and

(B) in the case of the unclassified portion of the report, posted on the public website of the Department of Defense, the Department of Homeland Security, the Department of Justice, and the Federal Bureau of Investigation.

**SEC. 6. FEDERAL SUPPORT FOR ADDRESSING HATE CRIME INCIDENTS WITH A NEXUS TO DOMESTIC TERRORISM.**

(a) **COMMUNITY RELATIONS SERVICE.**—The Community Relations Service of the Department of Justice, authorized under section 1001(a) of the Civil Rights Act of 1964 (42 U.S.C. 2000g), may offer the support of the Service to communities where the Department of Justice has brought charges in a hate crime incident that has a nexus to domestic terrorism.

(b) **FEDERAL BUREAU OF INVESTIGATION.**—Section 249 of title 18, United States Code, is amended by adding at the end the following:

“(f) **FEDERAL BUREAU OF INVESTIGATION.**—The Attorney General, acting through the Director of the Federal Bureau of Investigation, shall assign a special agent or hate crimes liaison to each field office of the Federal Bureau of Investigation to investigate hate crimes incidents with a nexus to domestic terrorism (as such term is defined in section 2 of the Domestic Terrorism Prevention Act of 2022).”.

**SEC. 7. RULE OF CONSTRUCTION.**

Nothing in this Act, or any amendment made by this Act, may be construed to authorize the infringement or violation of any right protected under the First Amendment to the Constitution of the United States or an applicable provision of Federal law.

**SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated to the Department of Justice, the Federal Bureau of Investigation, the Department of Homeland Security, and the Department of Defense such sums as may be necessary to carry out this Act.

The SPEAKER pro tempore. The bill, as amended, shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designees.

The gentleman from New York (Mr. NADLER) and the gentleman from Ohio (Mr. JORDAN) each will control 30 minutes.

The Chair recognizes the gentleman from New York (Mr. NADLER).

**GENERAL LEAVE**

Mr. NADLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 350.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. NADLER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in 2018, a gunman shot and killed 11 worshippers attending Shabbat services at the Tree of Life synagogue in Pittsburgh. In 2019, another gunman shot and killed 22 shoppers at an El Paso Walmart. Over the weekend, yet another assailant allegedly shot and killed 10 people at a supermarket in Buffalo, New York.

These are tragedies. I could cite many others. I could spend my time here today talking about the scourge of gun violence, or the dramatic rise in the number of hate crimes, or the obvious consequences of the hate-filled rhetoric that fills our airways and has, sadly, been adopted by some of our colleagues.

Instead, I will use my time to point out what these three cases have in common: The gunman in each case was

a White man, each angry about so-called replacement theory, each traveling some distance to target a minority community, each hoping to terrorize that community through mass murder.

This is not right. This is not normal. This is not consistent with who we are as a country. We must act. H.R. 350, the Domestic Terrorism Prevention Act, which sits before us today, is the least we can do to signal our opposition to white nationalism and this rising menace of organized intolerance.

H.R. 350 creates three offices—one each within the Department of Homeland Security, the Department of Justice, and the FBI—to monitor and investigate cases of domestic terrorism.

These newly created offices would issue joint biannual reports to Congress assessing the state of domestic terrorism threats, with a specific focus on white supremacists, and would be required to focus their resources based on the data collected and the most significant threats.

Recent white supremacist attacks have reminded minority communities across the country of a dark history we have not yet escaped. These include the murder of six people of Asian descent at spas in Atlanta last summer, five Jewish Americans being held hostage in their Texas synagogue, numerous bomb threats phoned into historically Black colleges and universities last February, and, of course, the violence in Buffalo just days ago.

Because every part of the country deserves a responsive, well-trained response to this kind of violence, H.R. 350 also requires DOJ and DHS to provide training and resources to assist State and local law enforcement agencies in understanding, detecting, and deterring acts of domestic terrorism and violent white supremacy.

And because there should be no confusion that we are targeting criminal activity, as opposed to the legitimate religious or political activity of most citizens, the bill also includes an explicit protection for First Amendment rights and other constitutionally protected activity.

This legislation is a bipartisan solution to a serious and documented problem facing our country. I thank Representative BRAD SCHNEIDER for all of his work in introducing it. The House stood together last Congress to pass this legislation in a bipartisan fashion. I urge my colleagues to do so once again, and I reserve the balance of my time.

Mr. JORDAN. Mr. Speaker, I yield myself such time as I may consume.

I just want to read from the title of the bill.

“H.R. 350, 117th Congress, 2d Session. To authorize dedicated domestic terrorism offices within the Department of Homeland Security, the Department of Justice, and the Federal Bureau of Investigation, to analyze and monitor domestic terrorist activity and require the Federal Government to take steps to prevent terrorism.”

Well, we already know what this looks like. We have already seen this happen. The Department of Justice went after parents who showed up at school board meetings to voice concerns about what was happening in their child's school.

Never forget what they did. They put in place this apparatus to report, to snitch, on parents.

The timeline here, I think, is so important. September 29, last fall, the leftwing political organization National School Boards Association writes a letter to the Biden administration asking exactly what this bill does. It says: Use domestic terrorism/counterterrorism measures against parents.

And guess what. Five days later, the Attorney General of the United States writes a memorandum that does just that, again, what this bill would codify and put into practice. He sends out a memo to every single U.S. Attorney around the country. In that memo, he says: Set up a dedicated line for threat reporting, a snitch line on parents.

And guess what happens after that. Sixteen days after that, the FBI sends out an email to agents all across the country saying: When you investigate these parents, when you are doing this, parents who reported on the snitch line the Attorney General established, put this designation, this threat tag label, on their name. All of that happened, and we know it happened, because whistleblowers came forward and told us about two dozen cases where this took place.

This bill is going to codify exactly what they have been doing. That is why this bill is so harmful.

One of the situations, one of the cases, a mom who showed up at a school board meeting was reported, and the person who filed the complaint said: Well, she is in the group Moms for Liberty, and she owned a firearm. Imagine that, a mom who cares about freedom and actually exercises her Second Amendment liberties.

Now, what happened in Buffalo we know is as wrong as wrong can be, but this legislation wouldn't prevent the terrible crime that took place there. This bill is the same bad bill that Democrats pulled 2 weeks ago because a few of them actually had concerns about First Amendment protected activity and what this legislation could do. Again, specifically, it says it wants to create new offices to investigate folks in our armed services, in our military, and in our law enforcement for the possibility of infiltration by white nationalism.

□ 1815

But, of course, it says nothing about threats from the left, threats like antifa. We know what happened the summer of 2020. It says nothing about that.

This bill is dangerous because we have already seen the weaponization of government. We saw it in the IRS a few years ago. We have seen it in the FBI,

as I just pointed out, most recently the Department of Justice working with the FBI to go after parents. This bill formalizes what we have already seen. That is why it is so dangerous.

I urge a “no” vote on the legislation, and I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, the Anti-Defamation League reported after a study last year that 80 percent of racist violence was from white supremacists—80 percent. Mr. JORDAN should take heed of that.

Mr. Speaker, I yield 5 minutes to the gentleman from Illinois (Mr. SCHNEIDER), the sponsor of this bill.

Mr. SCHNEIDER. Mr. Speaker, I am proud to rise in support of H.R. 350, the Domestic Terrorism Prevention Act of 2022. I thank the Speaker of the House and House leadership for their support in taking action to address the very real and present threat of domestic terrorism and, specifically, racially motivated violent extremism.

I am grateful for the leadership of my colleague and friend, Judiciary Committee Chairman JERRY NADLER, in helping to bring forth this bill, and my fellow Illinoisan, Senator DICK DURBIN, who has been my partner in shepherding this legislation since 2017.

Our Nation is reeling. Just this weekend, in California, a true hero, as well as being a father, husband, and physician, a true hero saved countless lives by sacrificing himself to wrestle down a hate-driven gunman inside a church. In Buffalo, 10 people were murdered by a deranged white supremacist whose hate was fueled by the racist, anti-Semitic great replacement conspiracy theory.

I can't go back in time and stop past events. There will be more Buffalos; there will be more El Pasos; and there will be more Tree of Life synagogue-type shootings. Though the shooters may have acted alone, these tragedies past are a harbinger of what is to follow.

As Amy Spitalnick with Integrity First for America has put it, each attack inspires the next one. Whether it is a live-streamed assault or a screed posted on the dark web, the goal is not just to kill fellow Americans but to inspire like-minded haters to act in kind.

We cannot sit idly by while domestic violence extremism spreads across our country. We must give Federal law enforcement the resources and the tools they need to actively identify threats and to preemptively act to stop violence before it happens.

To my colleagues considering voting against this bill, especially those who supported this very same legislation in the last Congress, I ask them: If not this bill, then what? And if not now, then when?

Their inaction only gives cover to the next domestic terrorist planning an attack.

Let me be clear: This legislation does not create any new statute or establish any new penalties. It doesn't threaten civil liberties. In fact, it further pro-

tects First Amendment rights, and it helps the FBI, DOJ, and DHS do their job.

In testimony this February before the House Judiciary Subcommittee on Crime, Terrorism and Homeland Security, Seth Jones of CSIS noted there were 73 terrorist plots and attacks in the U.S. just last year, spanning 18 States and the District of Columbia. He stated: “Government, military, and police locations and personnel were the most frequently targeted by domestic terrorist attacks regardless of perpetrator orientation.”

He continued: “These perpetrators identified with a range of ideologies and movements, including the QAnon conspiracy, the sovereign citizen movement, militia groups, anarchism, antifascism, environmentalism, and other antigovernment and antiauthority philosophies.”

And he continued: “In addition, white supremacists and other like-minded extremists have targeted individuals because of their racial, ethnic, religious, or political makeup, such as African Americans, immigrants, Muslims, and Jews.”

FBI Director Christopher Wray, in testimony before the Senate last year, stated that: “The top threat we face from DVEs,” domestic violent extremists, “continues to be those we identify as racially or ethnically motivated violent extremists, RMVEs, specifically those who advocate for the superiority of the White race, and who were the primary source of ideologically motivated lethal incidents and violence in 2018 and 2019.”

Mr. Speaker, the Domestic Terrorism Prevention Act we are voting on today is the right bill for this specific moment. The threat is real. It is growing, and if we don't act, more people—people praying in their houses of worship, children playing in their schoolyards, police officers serving in our communities—will die.

We must pass this bill because the American people deserve to feel secure in their schools, in their supermarkets, and in their churches, synagogues, temples, and mosques.

Mr. Speaker, I urge my colleagues to support this bill.

Mr. JORDAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we don't give cover to anything. White nationalism is wrong. We have always said so. Everyone knows that.

But I tell you who does give cover, when the chairman of the Judiciary Committee says that antifa is a myth, that is giving cover. That is a statement made by the chairman of the House Judiciary Committee after we had testimony from FBI Director Wray talking about the dangers of antifa, after Attorney General Barr told us that antifa was involved in instigating and participating in violent activity. Talk about giving cover. Give me a break.

Mr. Speaker, I yield 4 minutes to the gentleman from Florida (Mr. GAETZ), my friend and colleague.

Mr. GAETZ. Mr. Speaker, this bill is ostensibly to fight extremism, which wouldn't be so objectionable if the people it empowered weren't so damn extreme.

They are so extreme, they would chill speech at school board meetings by targeting parents as domestic terrorists. Obey, accept the mandates, accept the requirements, the CRT, or you will be punished at the hands of your own government.

They are so extreme, they would leak a Supreme Court draft opinion so that they could gaslight violence and intimidation against the Court, all so that the law would abandon those unborn lives and beating hearts.

They are so extreme, they would weaponize the Department of Justice against a sitting President over an election that Hillary Clinton lost. It was the Russians, they told us, and we were extreme if we said it was them all along. Now we know it was.

The last press secretary thought that COVID discussions on Facebook, rooted in science, were so extreme that Mark Zuckerberg had to deplatform these people, take them away from the digital world. This press secretary wrongly tweeted that FOX News is racist. I wonder if she thinks all of FOX's viewers are dangers to the American people.

Are you a domestic extremist? This bill is about whether or not you want the Department of Homeland Security looking over your shoulder at the shows you watch, the websites you visit, some politically incorrect meme you liked, some joke you forwarded, and any bad association you might have had. If you are not a racist, maybe your neighbor is, and you weren't antiracist enough to disallow it.

These things aren't criminal, of course. They are bad politics, at worst, in most cases, which is exactly the point of this bill. They are trying to deploy criminal, even antiterrorism, authorities against what they deem is bad politics.

How long until mainstream Christianity is deemed domestic extremism?

All the domestic extremists, they declare their pronouns. So if you don't declare your pronouns, maybe you are a domestic extremist, too.

Under this bill, how long until Facebook jail means a government file on you, a higher interest rate on your home loan, or your spouse fired from their job?

At first, I was a critic of the disinformation board, but it might go down as one of the most efficient government entities in all of history. It took only one action, and it actually shut down disinformation by pausing its own activities.

The worst part of this bill is how it puts a target on the back of every one of our military servicemembers. This bill will sic the FBI on our military, not to prevent or investigate crimes, but to prosecute thought crimes.

The problem with our military is wokeness at the Pentagon, not white

supremacy in the ranks. Even the much-maligned Lloyd Austin admitted that 99 percent are doing the right thing. A recent DOD report showed that less than 100 people in the force of 2 million were problematic in any way.

We seem so intent on a neo-Nazi witch hunt in our own battalions while we freely send \$40 billion, much of which will end up in the hands of the Azov Battalion, without much inquiry.

I am sincerely worried about domestic extremism, but from my vantage point, it is coming from America's political left. You should really think about that, how domestic extremism is truly in the eye of the beholder, perhaps the beholder of power, and power is about to change hands. Who will be the domestic extremists then?

Mr. NADLER. Mr. Speaker, I don't understand how you can look at the devastation in Buffalo and the manifesto left behind by the terrorist and not take this issue seriously.

I now yield 3 minutes to the distinguished gentleman from South Carolina (Mr. CLYBURN), the whip.

Mr. CLYBURN. Mr. Speaker, I rise today in strong support of the Domestic Terrorism Prevention Act.

It is heartbreaking to stand here today, just days after 10 innocent lives were taken in a Buffalo, New York, grocery store by a gunman espousing white supremacist views and hatred toward African Americans.

This devastating massacre took me back to June 17, 2015, when another white supremacist gunned down nine parishioners at Charleston's historic Emanuel AME Church.

In the intervening years, we have witnessed far too many other acts of domestic terrorism: from a counterprotest in Charlottesville, Virginia; to a synagogue in Pittsburgh, Pennsylvania; to a Walmart in El Paso, Texas; to a Sikh temple in Oak Creek, Wisconsin; and to an Asian-owned nail salon in Atlanta, Georgia. All told, over 200 mass shootings this year.

To be sure, all of these shootings have not been racially motivated or motivated by hate, but all of them share one thing in common: They have been committed in a country too tolerant of irresponsible regulations of weapons of war and a proliferation of firearms of mass destruction.

This legislation is long overdue. It would enable the Justice Department, the Department of Homeland Security, and the FBI to prevent, investigate, and prosecute cases of domestic terrorism more effectively.

I, and many others in this body, know what it is to experience acts of racial hatred and witness events of domestic terrorism. We cannot continue to turn a blind eye to white supremacist vigilantes.

It impacts all of us. While the gunman in Buffalo was aiming for people who looked like me, others who did not look like me fell victim to his evil act.

Shortly after my first meeting with Dr. Martin Luther King, Jr., back in

1960, I met with one of my professors, Mrs. Rosa Harris, to share the Saul to Paul transformation I was experiencing. Two days later, Mrs. Harris handed me a copy of Dr. King's 1958 book, "Stride Toward Freedom."

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NADLER. Mr. Speaker, I yield an additional 30 seconds to the gentleman from South Carolina.

Mr. CLYBURN. To share one passage from that book, I quote, "True peace is not merely the absence of tension; it is the presence of justice."

Mr. Speaker, this legislation will provide Federal agencies with necessary tools to ensure that peace and justice prevail. I urge a "yes" vote from all Members of this august body.

□ 1830

Mr. JORDAN. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Georgia (Mrs. GREENE).

Mrs. GREENE of Georgia. Mr. Speaker, I rise in opposition to this bill.

I find it shocking to hear language coming from my colleagues across the aisle accusing Republicans of the horrific shooting in Buffalo, when in fact, the shooter's manifesto itself stated he acted as a lone wolf. No Republican had anything to do with that.

I also find it shocking to hear these accusations coming from the party that supported BLM riots that caused over \$2 billion in damages in cities and communities across the country.

Now, when we are talking about identity politics, we should remind one another that there were 6 people murdered and 62 others injured by a Black American who drove his car through a Christmas parade in Waukesha. There was also a Black American that shot and injured 23 people on a New York City subway. I am not hearing any of those examples as domestic terrorism from my colleagues across the aisle, and I don't understand why. I think these acts should be blamed on the people that are doing them, not on people's identity and their skin color.

Another thing that is wrong with this bill is it provides unlimited money to profile Americans that the Department of Justice says are white supremacists. That is why Democrats want to pursue every single conservative in America, simply because they want to choose who is a white supremacist and not.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. JORDAN. Mr. Speaker, I yield an additional 30 seconds to the gentlewoman.

Mrs. GREENE of Georgia. Mr. Speaker, the Speaker, herself, has called Republicans enemies of the State.

If the Speaker does not like Republicans' politics and considers us enemies of the State, we all know what domestic terrorists will mean to Democrats. That will mean anyone who stands in their way in their lustful quest for power. This would be parents

that are trying to hold people accountable with their tax dollars for how their children are taught, or anyone else that they want to blame for something they want to use for politics.

Mr. NADLER. Mr. Speaker, I yield 3 minutes to the gentleman from Rhode Island (Mr. CICILLINE), a member of the Committee on the Judiciary.

Mr. CICILLINE. Mr. Speaker, I rise in strong support of the Domestic Terrorism Prevention Act of 2021.

We are at an important crossroads in this country. With white supremacy on the rise and violent extremists fueling each other's bigotry and hate, we are seeing an alarming increase in domestic terrorism fueled by this hatred.

A recent analysis from the Center for Strategic and International Studies showed that in 2020, domestic terrorism in America was at its highest level since information started being collected nearly 30 years ago.

In 2019, Michael McGarritty, Assistant Director for the Counterterrorism Division of the FBI stated that, "racially motivated violent extremists are responsible for the majority of lethal attacks and fatalities perpetrated by domestic terrorists since 2000."

Mr. Speaker, we are talking about the safety and security of every American, and the targeting of already marginalized groups.

We also witnessed this just days ago in Buffalo, when a self-proclaimed white supremacist, fascist, and anti-Semite targeted the Black community, murdering ten victims in a supermarket.

We saw this last year in Atlanta when a gunman attacked Asian women in spas.

We saw it in the bomb threats at HBCUs and Jewish synagogues, and as terrorists have attacked Black churches, synagogues, and Sikh temples.

We keep seeing it over and over again. Congress needs to act.

We can start today by passing the bipartisan Domestic Terrorism Prevention Act. This legislation will create offices at the DOJ, FBI, and DHS to monitor, investigate, and prosecute cases of domestic terrorism, a long-overdue update to not only help prevent these horrific crimes, but to also bring perpetrators to justice.

This bill would also improve and streamline information-sharing and training systems between different law enforcement agencies, including at the local and State level, to better our understanding of and response to incidents of domestic terrorism and white supremacy.

And finally, it would establish an interagency task force to combat white supremacist infiltration of our military and Federal law enforcement—a terrifying trend that we need to combat now before it gets any worse.

I thank Representative SCHNEIDER for introducing this desperately needed legislation. I am proud to be an original cosponsor. I thank Chairman NADLER for his leadership, and I urge all

my colleagues to support this important bill. It should be a strong bipartisan vote. Say “no” to white supremacy and domestic terrorism in America.

Mr. JORDAN. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. ROY).

Mr. ROY. Mr. Speaker, I thank the gentleman from Ohio for yielding.

Here we sit on the floor of the House of Representatives, and we are talking about allegedly crime. But we are not talking about, of the 17,000 homicides last year, the 800 homicides in Chicago, the 562 homicides in Philadelphia, the 89 homicides in Austin, Texas—blowing away the former record of 59 homicides. In the 12 major cities that broke their homicide records in 2021, all have Democratic mayors.

We are seeing it across the country. We are seeing the absolute destruction of law and order across the United States of America through the defunding of police, through the attack on police, as we sit here on National Police Week, undermining the ability to prosecute bad guys.

Nobody in this Chamber would say we shouldn't prosecute bad guys. As a former Federal prosecutor, sign me up. Let's prosecute bad guys. I am all for it.

But we understand what this is actually about. We understand what proping up a domestic terrorism unit in this FBI, in this administration's Federal Government, what it is all about because we saw it in naked display last fall.

We see, through all of the information we are getting from whistleblowers, we see it in the information that we are getting on tags targeting parents. We see it in the empowerment of the FBI to focus and target parents in collusion with the National Association of School Boards, in active coordination with the National Association of School Boards, we are seeing the targeting of parents.

And this isn't made up. Scott Smith is an actual father. He is an actual man in Loudoun County, Virginia, who had his face put up as the poster child for an extremist activity by the FBI to target parents in coordination with that National Association of School Boards.

If you go back and look at the video and you hear Scott Smith's wife crying that her husband was being targeted, her husband was being targeted in the school board meeting because he dared to question the school board when his daughter had been sexually assaulted in a bathroom at a school he pays taxes for her to attend.

And then this administration had the audacity to make him the poster child to target parents with the power of the FBI. We know this happened. We got the information from the school board association. We got the whistleblower's account of the tags being used by the FBI to do it.

So as my colleague from Florida pointed out about what this is really

about, it is about empowerment of the Federal bureaucracy to target Americans. That is what it is about. It is questioning that you don't think right. It is the extension of thought crimes that is pervasive in this body that will allow the government to target us for what we believe, inherently undermining our fundamental rights as Americans to free speech, to freedom of association, to be able to engage, to be able to talk with each other without having our government target us.

If a bad actor carries out bad acts, prosecute him, prosecute her. But you have to do that with police that are funded. You have to do it with district attorneys who will prosecute the crimes. And you have to be honest about saying we need to target criminals for criminal acts and not thought crimes. This is nothing more than empowering the Federal Government to police thought and speech in the United States of America, and we should oppose it roundly.

Mr. NADLER. Mr. Speaker, my colleagues across the aisle seem to want to talk about everything but the subject matter of this bill, domestic terrorism.

Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from North Carolina (Ms. MANNING), to talk about domestic terrorism.

Ms. MANNING. Mr. Speaker, I rise today in support of the Domestic Terrorism Prevention Act. Over the weekend, we witnessed one of the deadliest racial attacks in recent memory. A man consumed by hateful conspiracy theories targeted the Black community in Buffalo, killing ten innocent people in a grocery store.

He posted a manifesto that was filled with hateful conspiracies and anti-Semitic propaganda, including the racist great replacement conspiracy theory promoted by white supremacists. White supremacy and anti-Semitism are poison to our society.

Today, with these forces on the rise, they are turbocharged by social media which spreads these dangerous ideologies to more people around the world, creating a toxic blend of misinformation and hate.

We can't afford to look the other way when individuals are inspired by hateful ideologies to attack our fellow Americans. That is why we must immediately pass the Domestic Terrorism Prevention Act to empower our government to confront the threat of domestic violent extremism head-on.

I thank my friend, Representative SCHNEIDER, for his tenacity in pursuing this important bill, which I am proud to cosponsor.

Mr. Speaker, I urge my colleagues to join me in supporting this critical legislation to combat anti-Semitism, white supremacy, and all forms of hateful violence which threaten all of our communities.

Mr. JORDAN. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. CLYDE).

Mr. CLYDE. Mr. Speaker, the Democrats' so-called Domestic Terrorism Prevention Act opens the door for the Biden administration to continue its assault on Americans' protected political speech.

Since President Biden stepped foot into the White House, he has blatantly targeted conservatives for exercising their First Amendment rights. Whether it is labeling parents protesting COVID-19 mandates and racist curriculum in schools as domestic terrorists, holding nonviolent January 6 protestors in pretrial detention for over a year, or creating a radical ministry of truth to monitor supposed disinformation, the Biden administration has repeatedly taken aim at political dissent from the right.

And while the Disinformation Governance Board is reportedly paused—what a hallelujah moment for the Constitution—just the idea alone that the Biden administration would institute such a board under the Department of Homeland Security should concern every solitary American citizen. And keep in mind that this administration has completely ignored the legitimate threats posed by dangerous extremist groups, such as Antifa on the left.

Just this week, Biden's Department of Homeland Security claimed law enforcement agencies are investigating violent threats by pro-abortion extremists threatening to murder Supreme Court Justices or burn down the Supreme Court building—but added, “. . . generalized philosophic embrace of violent tactics does not constitute domestic violent extremism or illegal activity. . . .”

Really? Hey, DHS, why don't you apply the same standard to January 6 protestors? The glaring hypocrisy is blinding.

Make no mistake, this legislation is a blatant attempt to further transform the Department of Justice and Department of Homeland Security into political weapons, greenlighting additional abuse by the Biden administration against the American people.

Mr. Speaker, I urge all my colleagues to vote against H.R. 350, and thereby protect Americans' First Amendment rights and block the Biden administration from targeting, monitoring, and labeling Americans they fundamentally disagree with as domestic terrorists.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. HOYER), the distinguished majority leader of the House.

Mr. HOYER. Mr. Speaker, I thank the chairman for yielding.

Mr. Speaker, before I start making my remarks, the gentleman who just spoke is a member of the Republican Party. The Republican National Committee passed a resolution telling the American people—and they passed it overwhelmingly—that what they saw on January 6 was legitimate political discourse.

A couple of law enforcement officers lost their lives, people were injured,



people in the hallways yelling to hang the Vice President of the United States and to kill the Speaker of the House.

Legitimate political discourse.

□ 1845

Mr. JORDAN. Will the gentleman yield?

Mr. HOYER. Mr. Speaker, I yield to the gentleman from Ohio.

Mr. JORDAN. Mr. Speaker, is it legitimate political discourse what is going on in front of the Supreme Court Justices' homes all last week, maybe even as we speak? Was it legitimate political discourse what took place over 100 days straight in Portland, Oregon, where antifa attacked a Federal court building? Was that legitimate political discourse as well?

Mr. HOYER. It was not, when they attacked anything.

You ought to visit the Speaker's home. She has protestors in front of her home all the time. All the time, Mr. Speaker.

Legitimate political discourse is demonstration; it is speaking out. And as a matter of fact, as the gentleman knows, we had this bill that raised questions by those very concerned—meaning all of us—about the legitimate exercising of First Amendment rights by all Americans; left, right, and in between. The fact of the matter is that we worked hard to make sure that what the gentleman who previously spoke asserted is not true.

Secondly, Mr. Speaker, I will guarantee you that our side of the aisle does not condone violence by either the left or the right. Violence in and of itself should be rejected.

Now, Mr. Speaker, on January 6 we saw what happens when extremist ideology disseminated online, in the media, and even by elected officials is allowed to fester into violent action. And I repeat, whether that happens from the right or the left is irrelevant. What is relevant is the violence and the danger that it presents to individuals as well as to property, I would tell my friend from Ohio.

Mr. Speaker, we see far too much these days of ideology being transformed into violence, which is never acceptable and must not be met with silence or acquiescence, or—I would tell the gentleman from Ohio—rationalization.

Legitimate political discourse on January 6. Absurd.

In recent days, Mr. Speaker, we have watched families mourn those killed in horrific acts of hatred in Buffalo, New York, where someone who espoused white supremacy committed a mass shooting targeting African Americans.

We have also seen this terror in places like Atlanta and Laguna Woods, California, where members of the Asian-American community were targeted with deadly violence. We saw it in El Paso in 2019 against the Latino community and in Pittsburgh in 2018 against Jewish Americans.

This resolution does not condemn extremism on the right or the left. It

condemns extremism which leads to violence against people on the right or people on the left or people who are neither right nor left and are not politically identified as such.

Indeed, in the aftermath of these events, and particularly this week, Americans have been learning more about the kind of violence-promoting and twisted ideologies of hate that pose a clear and present danger to our democracy, to the safety of our communities, and to the social fabric of our country.

I condemn violence from the left, from the middle, and from the right. And I would hope my colleagues on the other side of the aisle would condemn, as vigorously, violence from whichever quarter it is proposed. One of the worst of these, which is known as the "great replacement theory," is no more than a centuries-old form of prejudice and bigotry which holds that minorities are conspiring to replace White people.

This vile and false narrative is, sadly, not restricted to the dark and distant corners of the internet where extremists lurk. It has found a foothold in mass media and, shockingly, even among elected officials and Representatives in this House.

Many in this House who have had the opportunity to condemn this theory and those who espouse it have chosen silence. That kind of silence, Mr. Speaker. Many in this House condemn violence from whichever source, as I just said.

It is from that same kind of silence that the seeds of dehumanization, persecution, and horrific violence were planted in Germany in the 1930s. We know where that kind of rhetoric leads, and we must not allow our Nation to go down that path.

This is one of the most pernicious forms of hatred that fuels domestic terrorism in our day. It is incumbent upon us as the Representatives of the American people and the guardians of our democracy to ensure that those who espouse violent, extremist views have no place in our government, our military, or any position of public trust.

We have seen published by Members of this House images of violence, of threats, of killings of one of our Members.

Hopefully, this bipartisan legislation will do that and will also equip law enforcement with the tools needed to identify and stop domestic terrorists—the head of the FBI says that our greatest danger in America today is domestic terrorism, the head of the FBI—including white supremacists, neo-Nazis, and other racially motivated extremists; and do so proactively.

So everybody on this floor knows, I condemn unequivocally, of whatever ideological bent there is, people using violence to promote their political ideas, left or right.

This legislation also commissions numerous reports on the rising threat to domestic extremism that will help guide future policymaking on this issue.

Mr. Speaker, to stop these purveyors of evil from tearing our country apart, we must act decisively, and we must act now.

I thank Representative BRAD SCHNEIDER and Chairman JERRY NADLER for their leadership on this very important issue.

I know, as I believe every Member of this House knows, that extremist violence can reach anyone, anytime, anywhere, whether it be a place of worship, a grocery store, or as we learned last year, this very Hall.

That is why, Mr. Speaker, I urge all of my colleagues of whatever political persuasion—this does not adopt a political persuasion, but it adopts the premise that the use of violence and hate and bigotry should be shunned by all of us.

Our Constitution provides protection for almost any speech that one can pursue—almost. Not all, if we place others in danger. Not all, but almost any speech you can give. We are unique in the world in that regard. We protect that, and we call it the First Amendment, one of our most important amendments. It makes our country what it has been: a free and open Nation for discussion and debate. It must not devolve into the use of violence, the result of death, and the tearing apart of our Nation.

Mr. Speaker, I urge each Member to support that premise and support this resolution.

Mr. JORDAN. Mr. Speaker, the majority leader of the House just said we don't condone violence by anyone. That statement is just not accurate.

The entire summer of 2020, folks in the Democratic Party said rioters and looters were peaceful protestors. Republicans have condemned violence every time it happened. When it happened on January 6, we said it was wrong. When it happened in the summer of 2020, we said it was wrong, but they didn't.

The Democratic chair of the Financial Services Committee said to the rioters and looters that summer "get more confrontational." The Vice President of the United States supported the effort to raise money to bail those rioters and looters out of jail.

We should condemn all violence, and we should prosecute people who commit crimes. We shouldn't be raising bail money to get them out of jail, and we shouldn't be encouraging with the comments people make as happened all that summer from the Democrats and from the left.

Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. ESCOBAR), a member of the Judiciary Committee.

Ms. ESCOBAR. Mr. Speaker, I rise today in strong support of H.R. 350, the Domestic Terrorism Prevention Act.

Here we are again, reeling from another horrific domestic terrorist attack. This week a racially motivated

shooting in Buffalo, New York, perpetrated by an avowed white supremacist.

In 2018, it was the Tree of Life synagogue in Pittsburgh. In April of 2019, it was a synagogue in Poway, California. On August 3, 2019, it was my community of El Paso, Texas.

After every attack on minority communities by radicalized and heavily armed young men who have embraced white supremacy, our media and even some of our colleagues, leaders in this country, refuse to call this violence what it is: domestic terrorism.

H.R. 350 calls on the Department of Justice and the Department of Homeland Security to dedicate resources specifically to track and combat the growing threat of white supremacy and neo-Nazism in the United States.

H.R. 350 will give communities like mine a fighting chance the next time an angry racist shares a deranged screed online and decides to drive hours to attack vulnerable and innocent people at our grocery stores or our houses of worship.

The Anti-Defamation League has tracked 450 murders over the last decade committed by these terrorists. Rightwing extremists are responsible for over 75 percent of these horrific attacks, and 50 percent of these horrific attacks are by white supremacists.

Mr. Speaker, America has a racism problem. America has a hate problem. America has a domestic terrorism problem. We must address it. The Domestic Terrorism Prevention Act is a crucial step in the right direction.

Mr. JORDAN. Mr. Speaker, I yield to the gentleman from North Carolina (Mr. BISHOP) to control the balance of my time.

The SPEAKER pro tempore. The gentleman from North Carolina (Mr. BISHOP) will control the time.

Mr. BISHOP of North Carolina. Mr. Speaker, this bill, or a bill substantially like it, has come up before, and it enjoyed substantial bipartisan support, and now that has changed. Why is that? It is because it has become evident that the majority seeks, for political reasons, to conflate the extraordinarily serious issue of domestic terrorism with half of the country with their political opposition.

It is evident that the administration has pursued a concocted attack on the credibility on the First Amendment activity of parents who were engaging in First Amendment-protected activism in school boards. The administration has engaged in a deceitful refusal to account for that activity, and whistleblower accounts have now revealed that, indeed, FBI agents went to interrogate parents over their activism.

When Members of the majority recite events in every one of their comments today, they are selective and mischaracterized.

□ 1900

They do not mention the Brooklyn subway shooter. They do not mention

the Wisconsin fire bombing. They do not mention Waukesha, Wisconsin. They do not mention Boulder, Colorado. Why do they not? Why is it so consistent that those are not mentioned?

It is exactly the same issue in which there is always a focus on a particular type of hate—white supremacy. Let me tell you something. I have no hesitancy to say that the twisted butcher in Buffalo, New York, was a white supremacist. More than that, it is evident that he was mentally ill.

That does not mean that Republicans writ large are domestic terrorists or white supremacists. It is a smear, and it is deliberate. Worst of all, this pre-occupation, to the exclusion of all else, that smears the right, smears people center right, as racists, white supremacists, is a device, a demagogic device to distract from abysmal policy disasters led and created by advocacy and policy of Democrats.

The defund police debacle that led to a 30 percent increase in homicides—not as tragic as 10 or 20 killings of people by domestic terrorists on occasions—but 5,000 additional homicides a year. Do you know what? Sixty-five percent of those are suffered by Black Americans. There were 3,250 additional killings in 2020 and more in 2021.

The abandonment of the southern border that has resulted in a flood of fentanyl into the country so that you see mass killings by exposure to drugs laced with fentanyl; poison coming in and killing. The figure of 100,000, they tell me, is not current. It is not even getting at the essence of the problem.

Under those circumstances, and having committed that sort of policy malpractice upon the American people with those abysmal results, Democrats would bring a partisan bill to the floor and conflate the egregious evil of domestic terrorism with some kind of a political smear of your political opposition. What would it take to do that?

This bill should be bipartisan because it is promoted, it is brought, it is worked out with the political opposition. This problem is too significant to be cheapened as a political stunt.

Madam Speaker, I reserve the balance of my time.

Mr. NADLER. Madam Speaker, I am prepared to close, and I reserve the balance of my time.

Mr. BISHOP of North Carolina. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, it is hard to overstate how concerning the problem is that has so invaded our politics. We have seen in so many ways institutional norms be trampled underfoot in this Congress. The metal detectors at the door are one example, but they go on and on and on.

The hearing in the Judiciary Committee today aimed at intimidating the United States Supreme Court while it is in the midst of a particular decision is another one. Concepts about packing the Court, ideas by Democrats

to pack the Court by the chairman of the Judiciary Committee, and they go on and on and on. This one might be the worst.

You wonder what in the world the majority may be thinking to turn the issue of terrorism—any form of terrorism—into a partisan cudgel. It is beyond belief. If this issue returned to a nonpartisan posture, you would find that Republicans would be pleased to join it. It has been grossly distorted and turned into a political weapon that should never happen. It should never happen in this country. It should never happen in this Congress. This bill should be defeated.

Madam Speaker, I yield back the balance of my time.

Mr. NADLER. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, the problem is not that the Republican Party is racist, except the Republican Party won't call out the racists in its midst. They won't call the insurrection on January 6 of last year what it is: an insurrection. They call it legitimate public discourse.

It is not legitimate public discourse when police officers are attacked, when the Members of this House are attacked, when the Members of the Senate are attacked. That is domestic terrorism.

Madam Speaker, too many Americans have felt the pain and horror of domestic terrorism striking in their communities. Many of these attacks are fueled by white supremacy and hatred targeted at racial and ethnic minorities. We cannot bury our heads in the sand and pretend that this problem does not exist. We must confront this challenge head on.

That is why I strongly support the Domestic Terrorism Prevention Act, which would identify the greatest domestic terror threats and would concentrate law enforcement resources to addressing those threats.

I appreciated the Republicans supporting this last year. Why they won't support this—because they decided that terrorism doesn't have to be addressed—I don't know. That is terrible.

Madam Speaker, I urge all my colleagues to support this important legislation, and I yield back the balance of my time.

Ms. JACKSON LEE. Madam Speaker, I rise in support of H.R. 350, the "Domestic Terrorism Prevention Act of 2022." I am proudly supporting this critical measure and encourage my colleagues to do so, as well.

On this past Saturday, 13 people were shot and 10 were killed going about their daily lives at a supermarket in Buffalo, New York.

Of those lost souls were Black.

We know from the racist, xenophobic screeds posted online by the perpetrator of this attack that this particular supermarket was targeted because it was located in a predominantly Black residential neighborhood.

Then, on Sunday, one person was killed and four people were critically injured at a church in Laguna Woods, California. It appears this attack was motivated by political hatred directed at the Taiwanese community.



We must respond to these brazen attacks because this country—our country—cannot continue down this hateful pathway.

H.R. 350, the bipartisan Domestic Terrorism Prevention Act, of which I am a cosponsor, will strengthen the federal government's efforts to respond to domestic terrorism, focusing primarily on the threat of white supremacy.

It is a necessary response to the elevated threat of violence posed by domestic violent extremists, as declared by the FBI—which we must not allow to continue.

Each component of this bill has been carefully tailored to address the inadequacies of our current approach to fighting domestic terrorism and white supremacy.

First, it would authorize the creation of dedicated offices within the Department of Homeland Security, the Department of Justice, and the FBI to analyze, investigate, monitor, and prosecute domestic terrorism jointly; promote information sharing among federal law enforcement agencies; and take preventative measures, focusing federal resources on the most significant threats based on the data collected.

Second, DOJ, FBI, and DHS would be required to provide critical training and resources to help state, local, and tribal law enforcement agencies focus on understanding, detecting, preventing, and preempting domestic terrorism.

Third, the bill would also require establishment of an interagency task force to address the chronic infiltration of Federal law enforcement agencies and the military by white supremacists and neo-Nazis and biannual reporting on the state of domestic terrorism threats.

Fourth, this bill does not create new criminal offenses, new lists of designated domestic terrorist groups, or new investigative powers for law enforcement.

And because the fight against terrorism should not encroach upon Constitutional protections, the bill makes clear that no provisions shall be construed to infringe upon rights protected by the First Amendment and requires that each report must include a certification that all civil rights and civil liberties laws and regulations were followed when conducting assessments and investigations.

We must better equip law enforcement in all communities, on the local and federal level, to collaborate effectively to identify domestic terror threats and thwart these cowardly attacks before they happen.

In the last decade, every ethnic group in the United States has been touched by the increase in domestic terrorism.

These tragedies and their circumstances are all too familiar—the shooting spree at a Walmart in El Paso, Texas which left twenty-two dead and twenty-four injured; the rampage at Pittsburgh's Tree of Life synagogue where eleven people were killed; the racist attack on the Sikh Temple of Wisconsin which left six people dead; the brutal murder of nine worshippers at the Emanuel African Methodist Episcopal Church in Charleston, South Carolina; three Muslim college students executed in Chapel Hill, North Carolina supposedly over parking but tinged with hostility for the young people's "look"; the spa shooter in Atlanta who killed eight people, including six women of Asian descent; and bomb threats repeatedly called into historically black colleges, universities, and places of worship during Black History Month this year.

This bill addresses a real problem that we can no longer ignore. Thoughts and prayers are not enough. It is time we do more to help root out domestic terrorism and white supremacy.

I would like to thank Representative BRAD SCHNEIDER for his dedication to crafting this bill in a thoughtful, responsive manner.

I urge all members on both sides of the aisle to support this important legislation just as they did last Congress.

Ms. JACKSON LEE. Madam Speaker, I rise in strong support of H.R. 350—Domestic Terrorism Prevention Act of 2022, a bill that will counter domestic terrorism.

I am a cosponsor of H.R. 350, and I thank Chairman Thompson for his leadership of the Committee on Homeland Security and his efforts to prioritize the issue of domestic terrorism.

H.R. 350 would authorize a dedicated domestic terrorism office within the Department of Homeland Security (DHS) responsible for identifying and analyzing domestic terrorism activity in keeping with existing authorities and would codify in statute the establishment of dedicated offices within the Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI) to investigate and prosecute domestic terrorism.

Domestic terrorism has posed a growing threat over the past decade. FBI Director Wray, when testifying before the House Committees on Homeland Security and Judiciary warned about this escalating threat, including in congressional testimony.

In 2017, Director Wray characterized domestic terrorism as a "very serious" issue and noted that the FBI had approximately 1,000 open domestic terrorism investigations, approximately the same as the number of FBI's investigations into U.S.-based individuals inspired by foreign terrorist organizations.

In 2018, Director Wray warned that "law enforcement, racial minorities, and the U.S. Government will continue to be significant targets for many domestic extremist movements."

In 2021, Director Wray stated that the domestic terrorism threat is "metastasizing across the country."

In response to the Biden Administration's direction to produce a comprehensive assessment of domestic terrorism threats, the Intelligence Community and law enforcement concluded in March 2021 that domestic violent extremists "pose an elevated threat to the Homeland."

No matter what other challenges might emerge we must never forget that one of our nation's greatest threats comes from our struggle against violent extremism that began on September 11, 2001 and has extended to violent extremist living among us who use political affiliation as a justification for acts of terror.

September 11, 2001 remains a tragedy that defines our nation's history, but the final chapter will be written by those who are charged with keeping our nation and its people safe while preserving the way of life that terrorists sought to change.

I was at the September 11, 2021 commemoration held in New York last year and reflected on the twenty years since that day of the attacks.

Since September 11, 2001, it has been a priority of this nation to prevent terrorists, or those who would do American's harm, from

boarding flights whether they are domestic or international.

Over the nearly twenty years since enactment of the Homeland Security Act, the mission of the Department of Homeland Security has expanded to include cyber defense of civilian agency and private sector networks; protecting critical infrastructure in the form of the nation's electric grid, water delivery systems, transportation networks and federal election systems; and most recently managing the question of essential workers during this pandemic.

Annually the Committee on Homeland Security has held a hearing on the topic of Worldwide Threats to Homeland Security, which have covered a range of topics from terrorist organizations like Al Qaeda and ISIS, to home grown involving Lone Wolves and White Supremacists.

The mission of the Committee on Homeland Security has been and will continue to be on the nearly 3,000 people who died on September 11, 2001, and whom we owe a debt to do all that we can to prevent another attack on United States soil.

The escalation in violent domestic attacks since the January 6 attack has particularly been felt by our nation's law enforcement officers, but others as well in the rise in murder and assaults across the nation.

Today, we find ourselves in a nation where the terrorism landscape is more complex and it is imperative that we recognize the unorthodox nature of the terrorism threat we face today.

The current terrorism threat landscape has three major drivers of heightened threat:

- (1) the convergence of extremist ideologies;
- (2) the speed at which individuals who ascribe to extremist ideologies escalate to violence;
- (3) and the enormous growth of misinformation, disinformation, and mal-information.

The fringe ideologies that have adherents that move from group to group complicates the work of counterterrorism investigations, operations, and policy making because the focus would be on means and methods, understanding the hierarchy of an organization, then moving to nullify threats before they manifest into acts of physical violence.

Research shows that "over the past roughly 15 years, the average time span of radicalization in the U.S. has shrunk from 18 months to 7 months."

As Director Wray said in a hearing before the Committee in September 2020, domestic violent extremists "can go from radicalization to mobilization in weeks, if not days."

The speed and ease of the proliferation of misinformation, disinformation mal-information is unprecedented joined with the mass invitation to willing minds to commit acts of violence based on information is unprecedented.

Misinformation, disinformation, and mal-information proliferate on the internet and build bridges between conspiracy theory and violent extremism.

According to research by the Soufan Group, "algorithms employed by social media companies to generate continued engagement with platforms are partly responsible for radicalizing individuals to support QAnon," with anti-Semitism serving as a bridge between QAnon and white supremacy extremism.

The non-profit research group Tech Against Terrorism issued a report finding that "terrorist

and violent extremist operated websites from across the ideological spectrum . . . pose one of the most significant threats to global efforts in tackling terrorist use of the internet by governments, the tech sector, law enforcement and NGOs.

While mis-, dis-, or mal-information may not in and of itself constitute terrorist content, conspiracy theories in such information may propel terrorists and violent extremists to action.

Misinformation, disinformation, and mal-information undermine homeland security and law enforcement efforts to combat violent extremism.

Misinformation and false narratives in political discourse, news media, and online have increased support for political violence.

The availability of extremist content online means that today, “everyone is just a few clicks away from an ever-expanding series of rabbit holes that offer up whole worlds of disinformation and hate.”

In January 2021, President Biden initiated a 100-day comprehensive review of Federal efforts to address domestic terrorism.

The review found that racially or ethnically motivated violent extremists who advocate for the superiority of the white race and anti-government or anti-authority violent extremists are the two most lethal elements of today’s terrorism threat, and as a result of that review, in June 2021 the Biden Administration released the first-ever National Strategy for Countering Domestic Terrorism.

It is a comprehensive strategy for addressing the threat posed by domestic violent extremists and recognizes that online narratives promoting attacks on U.S. citizens, institutions, and critical infrastructure are a key factor driving radicalization and mobilization to violence.

Under the Strategy, DHS is responsible for preventing terrorism and I targeted violence, including through threat assessments, grants, and community-based prevention programs; enhancing public awareness; assessing, evaluating, and mitigating the ‘risk of violence inspired by violent extremist narratives, including those narratives shared via online platforms; and establishing partnerships with nongovernmental organizations.

In May 2021, DHS announced the establishment of the Center for Prevention Programs and Partnerships (CP3), which would help the Department combat terrorism and targeted violence.

The City of Houston’s Mayor’s Office of Public Safety and Homeland Security (MOPSHS) is a recipient of \$603,855.00 and has used the funds to reengage the cities community partners to form a coalition that will share information, assess threats, and be a resource to the community.

The city will work with the Texas Educational Service Center to develop a curriculum to educate students about radicalization to violence, media literacy, and bias.

According to CSIS, White supremacists, extremist militia members, and other violent far-right extremists were responsible for 66 percent of domestic terrorist attacks and plots in 2020.

On June 7, Harry H. Rogers—a self-proclaimed leader of the Ku Klux Klan—intentionally drove his pick-up truck into a crowd of Black Lives Matter demonstrators in Henrico, Virginia. One protester was injured, and Rogers received a six-year prison sentence.

In another case a Nevada man used an armored truck to block traffic on the Hoover Dam Bypass Bridge and held up signs—then he fled to Arizona where he was arrested.

At the time of his arrest he referenced QAnon conspiracy theories and discussed related conspiratorial beliefs.

No matter what other challenges might emerge, we must never forget that one of our nation’s greatest threats comes from our struggle against violent extremism that began on September 11, 2001 and has extended to violent extremists living among us who use political affiliation as a justification for acts of terror.

I ask fellow members of the House to join me in voting in favor of H.R. 350.

The SPEAKER pro tempore (Ms. CASTOR of Florida). All time for debate has expired.

Pursuant to House Resolution 1124, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BISHOP of North Carolina. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

#### ACCESS TO BABY FORMULA ACT OF 2022

Mr. SCOTT of Virginia. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 7791) to amend the Child Nutrition Act of 1966 to establish waiver authority to address certain emergencies, disasters, and supply chain disruptions, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 7791

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

##### SECTION 1. SHORT TITLE.

This Act may be cited as the “Access to Baby Formula Act of 2022”.

##### SEC. 2. AUTHORITY TO ADDRESS CERTAIN EMERGENCIES, DISASTERS, AND SUPPLY CHAIN DISRUPTIONS.

Section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786) is amended—

(1) in subsection (b), by adding at the end the following:

“(24) SUPPLY CHAIN DISRUPTION.—The term ‘supply chain disruption’ means a shortage of supplemental foods that impedes the redemption of food instruments, as determined by the Secretary.”;

(2) in subsection (h)(8), by adding at the end the following:

“(L) INFANT FORMULA COST CONTAINMENT CONTRACT REQUIREMENT.—

“(i) IN GENERAL.—The Secretary shall require that each infant formula cost contain-

ment contract renewed or entered into on or after the date of the enactment of the Access to Baby Formula Act of 2022 includes remedies in the event of an infant formula recall, including how an infant formula manufacturer would protect against disruption to program participants in the State.

“(ii) REBATES.—In the case of an infant formula recall, an infant formula manufacturer contracted to provide infant formula under this section shall comply with the contract requirements under clause (i).

“(M) MEMORANDUM OF UNDERSTANDING.—Not later than 30 days after the date of the enactment of the Access to Baby Formula Act of 2022, the Secretary shall ensure there is a memorandum of understanding between the Secretary and the Secretary of Health and Human Services that includes procedures to promote coordination and information sharing between the Department of Agriculture and the Department of Health and Human Services regarding any supply chain disruption, including a supplemental food recall.”; and

(3) by adding at the end the following:

“(r) EMERGENCIES AND DISASTERS.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, during an emergency period, the Secretary may modify or waive any qualified administrative requirement for one or more State agencies if—

“(A) the qualified administrative requirement cannot be met by State agencies during any portion of the emergency period under the conditions which prompted the emergency period; and

“(B) the modification or waiver of such a requirement—

“(i) is necessary to provide assistance under this section; and

“(ii) does not substantially weaken the nutritional quality of supplemental foods provided under this section.

“(2) DURATION.—A waiver established under this subsection may be available for a period of not greater than the emergency period and the 60 days after the end of such emergency period.

“(3) DEFINITIONS.—In this subsection:

“(A) EMERGENCY PERIOD.—The term ‘emergency period’ means a period during which there exists—

“(i) a public health emergency declared by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d);

“(ii) any renewal of such a public health emergency pursuant to such section 319;

“(iii) a presidentially declared major disaster as defined under section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.); or

“(iv) a presidentially declared emergency as defined under section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

“(B) QUALIFIED ADMINISTRATIVE REQUIREMENT.—The term ‘qualified administrative requirement’ means a requirement under this section or a regulatory requirement issued pursuant to this section.

“(s) SUPPLY CHAIN DISRUPTIONS.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, during a supply chain disruption, including a supplemental food product recall, the Secretary may modify or waive any qualified administrative requirement for one or more State agencies if—

“(A) the qualified administrative requirement cannot be met by State agencies during any portion of the supply chain disruption, including a supplemental food product recall, under the conditions which prompted such disruption or recall; and

“(B) the modification or waiver of such a requirement—